



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 17, 2005


BOZICEVIC, FIELD & FRANCIS LLP  
1900 UNIVERSITY AVENUE  
SUITE 200  
EAST PALO ALTO, CA 94303  
US

Dear Sir/Madam,

Your refund request for 10506959 in the amount of \$695.00 has been denied .

Small entity status fee not refundable. The time has expired for the refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for the refund of excess amount are filed within three months of timely payment of the full fee (37 CFR 1.28).

Sincerely,

  
RITA WHITE  
PCT - National  
703 308-9140 x231

VIA Facsimile 571-273-7300 1 PAGES  
 (Courtesy Copy to: Refund Division: 571-273-6500)

<b>REQUEST FOR REFUND</b> UNDER 37 CFR § 1.28(a)  Address to: BOX Refund Division Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	AERX-115
	First Named Inventor	ANDERSON, GREGOR JOHN
	Application Number	10/506,959
	Filing Date	September 14, 2005
	Group Art Unit	To Be Assigned
	Confirmation No.	To Be Assigned
	Examiner Name	To Be Assigned
	Title: "NOVEL DEVICE"	

Sir:

This is a request for a refund under 37 CFR § 1.28(a) for one half of the large entity filing fee of \$1390.00 which was charged to our Deposit Account No. 50-0815, as shown on our statement dated September 30, 2004 for the above-identified application. A copy of the monthly statement in which the charge appears is included with this request.

On September 7, 2004, we submitted a 371 National Phase Patent Application Transmittal erroneously indicating the above referenced patent application as a Large Entity. Upon receipt of the formal documents for filing the Response to the Missing Requirements, our client informed us that the above-reference case was entitled to Small Entity status. The undersigned hereby asserts that Applicants are entitled to Small Entity Status as defined under 37 CFR 1.27. This request for refund is being submitted within three months of the date we were informed of the error in entity status.

Please deposit the refund in the amount of \$695.00 into Deposit Account No. 50-0815.

Respectfully submitted,  
 BOZICEVIC, FIELD & FRANCIS LLP

Date: 4/ Oct / 05

By: [Signature]  
 Karl Bozicevic  
 Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP  
 1900 University Avenue, Suite 200  
 East Palo Alto, CA 94303  
 Telephone: (650) 327-3400  
 Facsimile: (650) 327-3231  
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**UNITED STATES  
PATENT AND  
TRADEMARK OFFICE**

**MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT**

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

To replenish your deposit account, detach and  
return top portion with your check. Make check  
payable to Director of Patents & Trademarks.

BOZICEVIC, FIELD & FRANCIS, LLP  
ACCOUNTING  
200 MIDDLEFIELD ROAD  
SUITE 200  
MERID PARK CA 94025

FINA

Account No. 500815
Date 9-30-04
Page 4

PLEASE SEND REMITTANCES TO:  
U. S. Patent and Trademark Office  
P.O. Box 70541  
Chicago, IL 60673

DATE POSTED	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
9 10 04	140	09935061	STAN-213	2401	165.00	2343.00
9 10 04	140	10933025	UCAL-230CON	8021	40.00	2303.00
9 10 04	141	10857137	CELL-261IP	2051	65.00	3228.00
9 10 04	142	107019	AERX-058CONS	1202	468.00	2277.00
9 10 04	184	09946711	LIFE-038	1501	1330.00	2147.00
9 10 04	285	09946215	LIFE-038	1501	300.00	2117.00
9 10 04	286	09946215	LIFE-038	8001	30.00	2111.00
9 10 04	287	10026936	STAN066D V	2501	665.00	2044.00
9 10 04	288	10026936	STAN066D V	1504	300.00	2014.00
9 10 04	289	10026936	STAN066D V	8001	30.00	2011.00
9 10 04	333	7634732	BEAR-TOTR	7004	50.00	1996.00
9 10 04	367	7634732	BEAR-TOTR	7003	50.00	1986.00
9 10 04	392	7617317	BEAR-TOTR	7003	10.00	1976.00
9 13 04	4	0984292	1358401	2014	-5.00	19820.00
9 13 04	20	10803458	TOSK-006CO	2001	4.00	19777.00
9 13 04	21	10803458	TOSK-006CO	2002	9.00	19687.00
9 13 04	139	10933855	RISL-012CO	8021	40.00	19647.00
9 13 04	197	PCT/US04/28970	SEK-008WO	1001	300.00	19347.00
9 13 04	198	PCT/US04/28970	SEK-008WO	1002	1000.00	18347.00
9 13 04	199	PCT/US04/28970	SEK-008WO	1001	1053.00	17294.00
9 13 04	200	PCT/US04/28970	SEK-008WO	1003	168.00	17126.00
9 13 04	201	PCT/US04/28970	SEK-008WO	8007	20.00	17106.00
9 13 04	234	PCT/US04/07509	NTM-029WO	1005	600.00	16506.00
9 13 04	235	PCT/US04/07509	NTM-029WO	1005	162.00	16344.00
9 13 04	266	PCT/US04/04369	CHOR-005WO	1005	600.00	15744.00
9 13 04	267	PCT/US04/04369	CHOR-005WO	1005	162.00	15582.00
9 14 04	22	10938227	CELL-014CON	2001	385.00	15197.00
9 14 04	23	10938227	CELL-014CON	2202	70.00	15127.00
9 14 04	204	10506959	AERX-115	1613	920.00	14205.00
9 14 04	205	10506959	AERX-115	1615	180.00	14025.00
9 14 04	206	10506959	AERX-115	1616	290.00	13735.00
9 15 04	1	09812485	BEAR-05N-1	2201	12.00	13623.00
9 15 04	4	10057846	SHAR-020	2253	475.00	13217.00
9 15 04	8	10938968	LIFE-038D V	1001	70.00	12447.00
9 15 04	18	60609046	TOSK-008PRV4	2005	80.00	12367.00
9 15 04	23	60609083	FDS-004PRV	2005	80.00	12287.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT			OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE